

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ACCUTEL COMMUNICATIONS, INC.)	
_____)	CASE NO. 2000-133
)	
ALLEGED VIOLATION(S) OF KRS 278.535)	
SWITCHING OF TELECOMMUNICATIONS)	
PROVIDER)	

O R D E R

On March 22, 2000, the Commission ordered Accutel Communications, Inc. ("Accutel") to show cause why it should not be penalized for alleged violations of KRS 278.535. The Commission directed Accutel to answer the Order within 20 days of its receipt. Accutel's response was due no later than April 24, 2000. As of this date, the Commission has received no response from Accutel. In its March 22, 2000 Order, the Commission scheduled a formal hearing for July 6, 2000 at 9:00 a.m., Eastern Daylight Time, in Hearing Room 2 of the Commission's offices. Accutel failed to appear at the hearing on July 6, 2000.

In the interest of equity and fairness, the Commission's March 22, 2000 Order was served again upon Accutel by certified mail, return receipt requested, to its last known address and to its agent for service of process as registered with the Kentucky Secretary of State on July 19, 2000. The Commission received notice that Accutel's registered agent had received the Order on July 20, 2000, and Accutel's president received the Order on July 29, 2000.

This Commission had stated that failure to respond within 20 days of receipt of the Order would result in a default judgment against Accutel and the revocation of Accutel's authority to provide telecommunications service in this Commonwealth.

As of this date, the Commission has received no answer from Accutel. The Commission has learned, however, that Accutel is no longer doing business in this state.

The Commission believes no reasonable purpose would be served in pursuing this matter as the consumers of the Commonwealth of Kentucky are no longer threatened by the acts of Accutel.

The Commission, having reviewed the evidence on record and having been sufficiently advised, IT IS THEREFORE ORDERED that this case is dismissed and removed from the Commission's docket.

Done at Frankfort, Kentucky, this 18th day of October, 2000.

By the Commission

ATTEST:

Deputy W^m H. Fowler
Executive Director